

HOUSE BILL 338

By Brooks K

AN ACT to amend Tennessee Code Annotated, Title 29, Chapter 3, Part 1 and Title 38, Chapter 1, Part 2, relative to scrap jewelry and metal dealers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 29-3-101(a)(2), is amended by adding the following language as a new subdivision (C):

(C) Any person, firm or corporation purchasing or otherwise dealing in antique, used or scrap jewelry and precious metals who is required to register with the chief of police and sheriff in accordance with title 38, chapter 1, part 2 and fails to comply with the requirements of such part.

SECTION 2. Tennessee Code Annotated, Section 29-3-105, is amended by adding the following language as a new subsection (c):

(c) If a temporary writ of injunction has been granted, in the case of a nuisance existing pursuant to § 29-3-101(a)(2)(C), the injunction may be dismissed by the court at such time as the person, firm or corporation against whom the writ of injunction has been granted provides to the court an inventory which includes all of the required information contained in § 38-1-203 of all scrap jewelry and precious metals in the possession of such person, firm or corporation as of the day the writ of injunction was granted and attests to the court's satisfaction that such person, firm or corporation has now and will continue to comply with all requirements of title 38, chapter 1, part 2.

SECTION 3. Tennessee Code Annotated, Section 38-1-204, is amended by designating the existing language as subsection (a) and by adding the following language as a new subsection (b):

(b) In addition to any criminal penalty, failure to comply with any requirement of this part is declared to be a nuisance in accordance with § 29-3-101(a).

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.